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Sexual assault investigation

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BY SARMAT CHOWDHURY, STAFF WRITER

Students received an email Sept. 16 alerting the community to the launch of an investigation surrounding a sexual assault case filed by a female student on campus.

The investigation, led by the U.S. Department of Education's Office for Civil Rights, started with a complaint that "alleges that the university failed to respond promptly and equitably to her [the female student's] report of sexual assault, and as a result, she was subjected to a sexually hostile environment," the Office of Compliance, Diversity and Ethics' Vice President Julian R. Williams said. The complaint was lodged to the Office of Compliance, Diversity and Ethics, according to Williams in an email to the Mason community.

Williams said he and others take such matters seriously, which he explained was the intent behind the initial email that was sent out to students.

"Some schools do it differently. What we try to do here at Mason is to be as transparent as we can around these issues. Because it is all public information, so what we would rather not do is [keep it quiet and] have somebody in the community find out about a situation like this where we have received a complaint from the Office for Civil Rights," Williams said.

Williams added that he and the university would rather not have the first time students hear about an issue like this come from an email that somebody forwarded to them.

"We'd rather let the community know that 'hey, this is what's out there,' this is what we are doing in response as well as this is how we are going to move forward around these issues as well. So, it's trying to be as transparent as possible and be as forthright as possible," Williams said.

Since 2011, there have been a total of 336 "investigation of colleges for possibly mishandling reports of sexual violence" according to the Chronicle of Higher Education. As of October 2016, only 55 cases have been resolved. Regarding Mason and its particular case, Williams said he was willing to explain the procedures for the filing of an investigation.

"It's a back and forth process. We would have to provide certain information to the Office of Civil Rights. They want to know a lot of information, but specifically how have we [Mason] responded to complaints of sexual harassment, sexual assault, dating violence and stalking for the last three academic years," Williams said. "They also want to see our training materials, who is in some of these roles to respond to these issues."

He added that the next step in this case is piecing all the information together, reaching out to the investigator about the case, getting some clarification and then compiling that information to send and submit to the Office for Civil Rights.

Though this is an ongoing investigation, Williams was confident in stating that Mason would not be going to the court due to the nature of the complaint.

"Usually, these sorts of complaints, they are handled within the Office for Civil Rights resolution processes," Williams said.

Williams added that what happens with a situation like this case is that Mason has to comply with Title IX, because the school receives federal funding in the form of financial aid. Title IX refers to Title IX of the Education

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Amendments of 1972, which is designed to protect individuals from discrimination in educational activities or programs that receive Federal financial assistance.

“Their job [the Department of Education and the Office for Civil Rights] is when they receive and accept a complaint, they would come in and investigate to make sure/double check just in case. So their enforcement power isn’t listed. They wouldn’t be able to sue the university. The biggest sort of power that they would wield would be one of the egregious cases where they could limit a university’s ability to accept financial aid funding,” Williams said.

As Williams pointed out, the government has never had to limit a university’s ability to accept financial aid funding for investigations. He also mentioned the proactive moves that Mason has made prior to the Title IX complaint, with the hire of a full-time Title IX committee.

While the investigation continues, Mason will have resources both on and off-campus for students who either wish to report a case of sexual assault or utilize the counselors and various other outlets that are available to victims of sexual violence.

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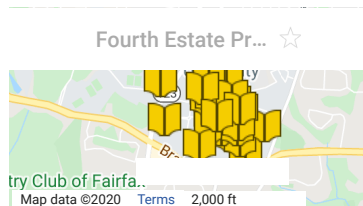


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